APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2133	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	10/006,554	SABET-SHARGHI ET AL.
Office Action Summary	Examiner	Art Unit	
	Shewaye Gelagay	2133	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 December 2001</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-34</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-34</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>06 December 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All b)☐ Some * c)☐ None of:
     1.☐ Certified copies of the priority documents have been received.
     2.☐ Certified copies of the priority documents have been received in Application No. _____.
     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>12/6/01, 10/25/04, 1/13/05, 2-10/05</u>
4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-34 have been examined.

Oath/Declaration

2.   The oath or declaration is defective. A new oath or declaration in compliance

with 37 CFR 1.67(a) identifying this application by application number and filing date is

required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: It is not signed by the inventors.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.   Claim 2 recites the limitation "the audio video device" in lines 2 and 3. There is

insufficient antecedent basis for this limitation in the claim.

5.   The term "about two" in claims 6, 9 and 32 is a relative term which renders the

claim indefinite. The term "about two" is not defined by the claim, the specification does

not provide a standard for ascertaining the requisite degree, and one of ordinary skill in

the art would not be reasonably apprised of the scope of the invention. The term "about

two" has to be explicitly defined in claims 6, 9 and 32 so that there would not be any

ambiguity.

6.   Claim 31 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 31 recites the limitation "before decrypting the,". However, there is nothing indicated as to what to has to be decrypted before the comma. Applicant did not explicitly disclose in the claim what needs to be decrypted before. Appropriate correction is required.

Claim Rejections - 35 USC § 101

7.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8.   Claims 1-7 and 31-34 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. It is not tangibly embodied as it is only software per se. It is suggested that the claimed subject matter "a software ..." should be changed to "a software program stored on a computer-readable medium ...".

Double Patenting

1.   Claims 23 and 31-34 are provisionally rejected under the judicially created doctrine of double patenting over claims 13 and 20 of copending Application No. 10/006,554. Although the conflicting claims are not identical, they are not patentably distinct from each other because the application '465 teaches all the claims limitation except the differences that are underlined in the following table:

9.   Claims 23 and 31 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 13 and 20 of copending Application No. 10/006465. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

10/006554	10/006465
23. A system enabling a portable device to access encrypted music on a memory storage device comprising: one or more application programming interfaces configured to: receive a plurality of commands from a user interface of the portable device; and send commands to an isolated security engine, the isolated security engine configured to: receive commands from the application programming interface; copy encrypted keys and encrypted content from the memory storage device to a memory of the portable device; decrypt the keys; decrypt the content using the decrypted keys; and thereafter delete the decrypted keys.	13. A system for enabling a device to read an encrypted file having encrypted content from a media, and to write an encrypted file having encrypted content to a media, the system comprising: a computing unit, and a system memory; interface means for receiving commands from the device; secure dynamic decryption means configured to: (a) copy an encrypted title key from the media to a memory of the device, (b) decrypt the encrypted title key, (c) decrypt a portion of encrypted content with the decrypted title key, (d) delete the decrypted title key, and (e) repeat a-d such until all of the content of the file has been decrypted, and wherein the decrypted title keys reside in and are accessible only to

	the secure means of the system.
31. A software system that enables a device to access content on a secure medium comprising: one or more user interface modules for receiving commands from the device; an applications programming interface for receiving the commands from the user interface module(s) and managing the retrieval and storage of both encrypted and non encrypted content from the secure medium; a security engine for decrypting the encrypted content and encrypted keys sent from the secure medium to memory of the device, the decrypted keys used to decrypt the encrypted content, and wherein one or more of the keys are contained in a first encrypted data segment, and encrypted content is contained in a second encrypted data segment, and <u>the security engine buffers and decrypts a portion of the first data</u>	20. A system that enables a device to decrypt a file having encrypted content on a secure medium, the system comprising: one or more user interface modules for receiving commands from the device; an applications programming interface for receiving the commands from the one or more user interface modules and managing the retrieval and storage of encrypted content from the secure medium; a security engine for decrypting the encrypted content and the one or more encrypted keys sent from the secure medium to a memory of the device, the decrypted keys used to decrypt the encrypted content, wherein the one or more keys are contained in an encrypted data segment, and the security engine (a) decrypts one or more of the keys, (b) decrypts a portion of the encrypted content using the one or more decrypted keys, and

segment, buffers and decrypts the second data segment, and thereafter deletes the decrypted one or more keys before decrypting the, such that decrypted keys are in a decrypted state for the time it takes to decrypt less than one to about five seconds of content.	(c) deletes the one or more decrypted keys, and (d) repeats (a)-(c) until all portions of the content are decrypted.

a. Both '554 (claim 23) and '465 (claim 13) teach a system of enabling a device to read and access encrypted content on a media or memory storage. The only exception is claim 13 in '465 has a computing unit. However, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by '554 to include a computing unit. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so because the device disclosed by '554 has to a have a computing unit in order to perform decryption, copying and deletion.

b. Both '554 (claim 31) and '465 (claim 20) teach a system of enabling a device to read and access encrypted content on a media or memory storage. The only exception is claim 31 in '554 has a buffer and decrypts a portion of the first data segment, buffers and decrypts the second data segment. However, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by '554 to include a buffer and decrypts a portion of the

first data segment, buffers and decrypts the second data segment. This modification

would have been obvious because a person having ordinary skill in the art would have

been motivated to do so because a buffer as disclosed by '554 would facilitate the

decryption process thereby allowing fast access to the encrypted content.

Claim Rejections - 35 USC § 102

10.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

11.   Claims 1-3, 8-22 and 24-29 are rejected under 35 U.S.C. 102(e) as being

anticipated by Tagawa et al. (hereinafter Tagawa) United States Letter Patent Number

6,832,293.

As per claim 1:

Tagawa teaches a software program to be utilized in an audio or video device by

the original equipment manufacturer of the device, the device for playback of encrypted

audio or video content residing on a memory card, the software program configured to:

receive commands including a playback command from a user interface of the

device; (Col. 11, line 67; Col. 12, line 1; Col. 41, lines 20-21)

decrypt encrypted audio or video content from the memory card such that the original equipment manufacturer need only send the playback command from the user interface of the device to the software program and the decrypted audio or video will be played back. (Col. 12, lines 1-12; Col. 41 lines 25-29)

As per claim 2:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a software program wherein the software program is further configured to:

copy location information of the encrypted content into a memory of the audio video device; (Col. 29, lines 3-5; Col. 19, lines 45-46; Col. 43, lines 26-55)

access the location information from the memory of the audio video device; (Col. 29, lines 3-5; Col. 19, lines 44-48; Col. 43, lines 26-55)

locate the encrypted content within the memory card with the accessed location information. (Col. 29, line 3-12; Col. 19, lines 44-48; Col. 43, lines 26-55)

As per claim 3:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a software program wherein decrypting the audio or video content comprises:

copying one or more encrypted keys from a protected area of the memory card into a memory buffer of the device; (Col. 12, lines 16-61; Col. 46, lines 10-11)

copying encrypted audio or video content from the memory card into a memory buffer of the device; (Col. 12, lines 16-61; Col. 46, lines 14-16)

decrypting one or more of the copied encrypted keys; (Col. 9, line16-24)

decrypting the copied encrypted audio or video content with the one or more

decrypted keys. (Col. 12, lines 1-12; Col. 41 lines 25-29)

As per claim 8:

Tagawa teaches a portable device having a microprocessor, random access

memory and a software program executed by the microprocessor, the device configured

to:

receive a group of commands including a playback command from a user

interface of the portable device; (Col. 11, line 67; Col. 12, line 1; Col. 41, lines 20-21)

retrieve encrypted data residing in a removable storage media upon receiving the

command; (Col. 12, lines 1-12; Col. 41 lines 25-29; Col. 43, lines 26-55)

store the encrypted data in a memory of the device; (Col. 9, lines 9-24)

decrypt the data; (Col. 12, lines 1-12; Col. 41 lines 25-29) and

output decrypted audio or video content such that the device only need send a

command from the group of commands from the user interface to the software program

in order to output the decrypted audio or video content. (Col. 12, lines 1-12; Col. 41

lines 25-29; Col. 43, lines 26-55)

As per claim 9:

Tagawa teaches all the subject matter as discussed above. In additon, Tagawa

further discloses a device wherein about two seconds of content is decrypted at a time

with the one or more decrypted keys before the one or more keys are deleted. (Col. 15,

lines 59-65)

As per claim 10:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a portable device wherein the removable storage media is a solid state memory card. (Col. 3, line 20; Col. 8, lines 42-43; Col. 55, line 41)

As per claim 11:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a portable device wherein the removable storage media is an optical disc. (Col. 55, line 41)

As per claim 12:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a portable device wherein the software of the device is further configured to decompress and decode audio content in either the AAC, MP3 or WMA format. (Col. 55, lines 1-5)

As per claim 13:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a portable device wherein the software of the device is further configured to:

copy playlist information and track information from the removable storage media into a memory of the device, (Col. 12, lines 1-12; Col. 41 lines 25-29; Col. 43, lines 26-55) and

locate the encrypted data to be retrieved based on the playlist and track

information within the memory of the device. (Col. 29, line 3-12; Col. 19, lines 44-48;

Col. 43, lines 26-55)

As per claims 14 and 28:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa

further discloses a device and method wherein the general track information further

comprises:

the number of audio objects comprised by the track; (Col. 16, line 34)

the first audio object comprised by the track; (Col. 16, lines 56-57)

the last audio object comprised by the track; (Col. 16, lines 56-57)

the current audio object being decrypted; (Col. 36, lines 21-24) and

the offset of the current audio object. (Col. 3, lines 65-67; Col. 20, lines 10-17)

As per claim 15:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa

further discloses a portable device wherein the track information further comprises:

the size of the track in bytes; (Col. 17, lines 60-61)

the total playback time of the track; . (Col. 16, line 61)

the elapsed time of the track the current element number within the audio object;

(Col. 46, line63)

current element of the track to be played; (Col. 36, lines 21-24)

the offset of the current element; (Col. 3, lines 65-67; Col. 20, lines 10-17)

the total number of elements in the audio object. (Col. 16, line 34)

As per claim 16:

Tagawa teaches a method of playing encrypted audio or video content stored in

a secure media with a device, the method comprising:

a pre-play process comprising:

copying one or more groups of information regarding the tracks to be played

back in to a memory of the device; (Col. 12, lines 16-61; Col. 46, lines 14-16)

a play process comprising:

receiving one more commands from a user interface to initiate playback; (Col. 11,

line 67; Col. 12, line 1; Col. 41, lines 20-21)

accessing the one or more groups of information from the memory of device;

(Col. 29, lines 3-5; Col. 19, lines 44-48; Col. 43, lines 26-55)

copying encrypted content from the secure media into a memory of the device

according to a sequence based upon information of the one or more groups of

information copied into the ram memory; (Col. 12, lines 16-61; Col. 46, lines 10-16)

decrypting the encrypted information from the secure media in a sequence based

up on the information of the one or more groups of information. (Col. 12, lines 1-12; Col.

41 lines 25-29)

As per claim 17:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa

further discloses a method wherein approximately less than one to five seconds of the

encrypted content is copied and decrypted at a time. (Col. 15, lines 59-65)

As per claim 18:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a method wherein the one or more groups of information comprise playlist and track information. (Col. 33, lines 25-32; Col. 17, line 51)

As per claim 19:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a method wherein the one or more groups of information specify which playlist is to be played, which track within the playlist is to be played. (Col. 35, lines 13-23)

As per claim 20:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a method wherein the one or more groups of information further comprises which audio object within the track is to be played, and where the audio object is located within the secure media. (Col. 35, lines 60-67)

As per claim 21:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a method wherein the one or more groups of information further comprises which element within the audio object is to be played, and which frame within the element is to be played. (Col. 43, lines 23-25)

As per claim 22:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a method wherein the pre-play process further comprises authorizing the secure media. (Col. 9, lines 1-6)

As per claim 24:

Tagawa teaches a method for allowing a device having a processor and random access memory to easily access encrypted data from a memory card with a group of commands, the method comprising:

retrieving playlist information from the memory card and storing the information in the random access memory of the device; (Col. 12, lines 1-12; Col. 41 lines 25-29; Col. 43, lines 26-55)

retrieving track information from the memory card and storing the track information into the random access memory of the device; (Col. 17, lines 44-59)

receiving a command selected from the group of commands from the device, the command accessing both of the playlist information, and track information from the random access memory; (Col. 11, line 67; Col. 12, line 1; Col. 41, lines 20-21)

executing the command by retrieving the encrypted data stored within the memory card and decrypting the data based on the accessed information. (Col. 12, lines 16-61 and lines 1-12; Col. 41, lines 2r5-29; Col. 46, lines 10-16)

As per claim 25:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a method wherein the playlist information comprises:

the name of a playlist; (Col. 35, lines 49-60;Col. 57, lines 32-33)

the playlist name string length; (Col. 35, lines 49-60)

the playback time of the playlist; (Col. 57, line 36)

the tracks comprised by the playlist; (Col. 57, lines 22-24) and

the index corresponding to the playlist. (Col. 57, line 22)

As per claim 26:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a method wherein the track information comprises:

a track number; (Col. 18, lines 12-13; Col. 58, line 62)

an index corresponding to the track number; (Col. 18, lines 15-16; Col. 58, line 22)

a number of track units in the track; (Col. 17, lines 50-51) and

the playback time of the track. (Col. 16, line 61)

As per claim 27:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a method wherein the track information comprises:

a format type of a track; (Col. 10, lines 53-56)

a sampling frequency of the track; (Col. 22, lines 52-60)

the size of the track in bytes; and (Col. 17, lines 60-61)

the current track being decrypted. (Col. 36, lines 21-24)

As per claim 29:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa further discloses a method wherein decrypting the data comprises:

copying one or more encrypted keys from a protected area of the memory card into a memory buffer of the device; (Col. 12, lines 16-61; Col. 46, lines 10-11)

copying encrypted audio or video content from the memory card into a memory

buffer of the device; (Col. 12, lines 16-61; Col. 46, lines 14-16)

decrypting one or more of the copied encrypted keys; (Col. 9, line16-24)

decrypting the copied encrypted audio or video content with the one or more

decrypted keys. . (Col. 12, lines 1-12; Col. 41 lines 25-29)

Claim Rejections - 35 USC § 103

12.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

13.   Claims 4-7, 23, 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Tagawa United States Letter Patent Number 6,611,812 in view of Dolan et al.

(hereinafter Dolan) United States Letter Patent Number 5,604,801.

As per claim 4:

Tagawa teaches all the subject matter as discussed above. Tagawa does not explicitly disclose a software program comprising immediately deleting the one or more decrypted keys after decrypting the audio or video content.

Dolan in analogous art, however, discloses immediately deleting the one or more decrypted keys after decrypting the audio or video content. (Col. 3, lines 11-14)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the program disclosed by Tagawa to include immediately deleting the one or more decrypted keys after decrypting the audio or video content. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Dolan (Col. 2, lines 27-28) in order not to compromise the decryption key.

As per claim 5:

Tagawa and Dolan teach all the subject matter as discussed above. In addition, Tagawa further discloses a software program wherein about less than one to ten seconds of content is decrypted at a time with the one or more decrypted keys before the one or more decrypted keys are deleted. (Col. 15, lines 59-65)

As per claims 6 and 32:

Tagawa and Dolan teach all the subject matter as discussed above. In additon, Tagawa further discloses a software program wherein about two seconds of content is decrypted at a time with the one or more decrypted keys before the one or more keys are deleted. (Col. 15, lines 59-65)

As per claim 7 and 30:

Tagawa teaches all the subject matter as discussed above. In addition, Tagawa

further discloses a software program wherein a software program wherein decrypting

the audio or video content comprises:

(a) calculating a media unique key; (Col. 9, lines 20-21) and thereafter

(b) decrypting a title key stored in the memory of the device with the media

unique key; (Col. 9, line 14-29) and thereafter

(c) decrypting a group of frames; (Col. 5, lines 65-66; Col. 83, lines 51-52 and

lines 66-67; Col. 90, lines 10-18; Col. 94, lines 22-32)

Tagawa does not explicitly disclose (d) deleting the decrypted title key; and (e)

deleting the media unique key; and (f) repeating (a) through (e) until the entire track is

completed.

Dolan in analogous art, however, discloses (d) deleting the decrypted title key;

(Col. 3, lines 11-14) and (e) deleting the media unique key; (Col. 3, lines 11-14) and (f)

repeating (a) through (e) until the entire track is completed. (Col. 3, lines 11-14; ...after

use; after use is interpreted as until the entire track is completed)

Therefore, it would have been obvious to a person having ordinary skill in the art

at the time the invention was made to modify the program disclosed by Tagawa and

Ueda to include deleting the decrypted title key; deleting the media unique key; and

repeating (a) through (e) until the entire track is completed. This modification would

have been obvious because a person having ordinary skill in the art would have been

motivated to do so, as suggested by, Dolan (Col. 2, lines 27-28) in order not to

compromise the decryption key.

As per claim 23:

Tagawa teaches a system enabling a portable device to access encrypted music

on a memory storage device comprising:

one or more application programming interfaces configured to:

receive a plurality of commands from a user interface of the portable device;

(Col. 11, line 67; Col. 12, line 1; Col. 41, lines 20-21) and

send commands to an isolated security engine, the isolated security engine

configured to:

receive commands from the application programming interface; (Col. 11, line 67;

Col. 12, line 1; Col. 41, lines 20-21)

copy encrypted keys and encrypted content from the memory storage device to a

memory of the portable device; ; (Col. 12, lines 16-61; Col. 46, lines 10-16)

decrypt the keys; (Col. 9, line16-24)

decrypt the content using the decrypted keys; . (Col. 12, lines 1-12; Col. 41 lines

25-29) and thereafter

Tagawa does not explicitly disclose a system comprising deleting the decrypted

keys.

Dolan in analogous art, however, discloses deleting the decrypted keys. (Col. 3,

lines 11-14)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the program disclosed by Tagawa to include immediately deleting the one or more decrypted keys after decrypting the audio or video content. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Dolan (Col. 2, lines 27-28) in order not to compromise the decryption key.

As per claim 31:

Tagawa teaches a software system that enables a device to access content on a secure medium comprising:

one or more user interface modules for receiving commands from the device; (Col. 11, line 67; Col. 12, line 1; Col. 41, lines 20-21)

an applications programming interface for receiving the commands from the user interface module(s) and managing the retrieval and storage of both encrypted and non encrypted content from the secure medium; (Col. 11, line 67; Col. 12, line 1; Col. 41, lines 20-21)

a security engine for decrypting the encrypted content and encrypted keys sent from the secure medium to memory of the device, the decrypted keys used to decrypt the encrypted content, . (Col. 9, lines 16-24; Col. 12, lines 1-12; Col. 41 lines 25-29) and wherein

one or more of the keys are contained in a first encrypted data segment, (Col. 12, lines 16-61) and

encrypted content is contained in a second encrypted data segment, (Col. 12, lines 16-61) and

the security engine buffers and decrypts a portion of the first data segment(Col. 9, lines 16-24) buffers and decrypts the second data segment, (Col. 12, lines 1-12; Col. 41 lines 25-29) and decrypted keys are in a decrypted state for the time it takes to decrypt less than one to about five seconds of content. (Col. 15, lines 59-65)

Tagawa does not explicitly disclose a system comprising deleting the decrypted one or more keys.

Dolan in analogous art, however, discloses deleting the decrypted keys. (Col. 3, lines 11-14)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the program disclosed by Tagawa to include immediately deleting the one or more decrypted keys after decrypting the audio or video content. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Dolan (Col. 2, lines 27-28) in order not to compromise the decryption key.

As per claim 33:

Tagawa and Dolan teach all the subject matter as discussed above. In addition, Tagawa further discloses a system wherein the software of the device is further configured to decompress and decode audio content in either the AAC, MP3 or WMA format. (Col. 55, lines 1-5)

As per claim 34:

Tagawa and Dolan teach all the subject matter as discussed above. In addition, Tagawa further discloses a system wherein the portion of the first data segment buffered and decrypted is about 512 bytes. (Col. 17, lines 60-64)
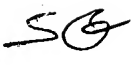
14.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.

15.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shewaye Gelagay whose telephone number is 571-272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shewaye Gelagay
Examiner
Art Unit 2133

ALBERT DECADY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

04/01/05